

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

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SUPPLEMEN	TAL INFORMATION	Docket Number:	TECHNOLOGY CENTER R370
DISCLOSURE	STATEMENT	11443/72	
Serial No. 10/099,634	Filing Date March 15, 2002	Examiner	Art Unit <b>3739</b>
Invention Title ELECTRO-MECI DEVICE	HANICAL SURGICAL	Inventors Michael Whitman	et al.

Commissioner for Patents Washington D.C. 20231

- 1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 35 U.S.C. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicant hereby brings the following references to the attention of the Examiner. These references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.
- 2. Copies of each of the cited references listed on the modified PTO form 1449 are not enclosed. Copies of each of the references were previously provided in the following parent applications: U.S. Patent Appl. Serial No. 09/351,534, filed July 12, 1999, which issued as U.S. Patent No. 6,264,087 on July 24, 2001; U.S. Patent Appl. Serial No. 09/324,451, filed June 2, 1999, which issued as U.S. Patent No. 6,315,184 on November 13, 2001; and U.S. Patent Application Serial No. 09/723,715, filed November 28, 2000.
- 3. It is believed that no fees are due in connection with this Information Disclosure Statement. However, should any fees be due, the Commissioner is authorized to charge Deposit Account No. 11-0600 for such fees. A duplicate copy of this communication is enclosed for charging purposes.

Respectfully submitted,

Dated: 7 OET W

PATENT TRADEMARK OFFICE

KENYON & KENYON One Broadway New York, N.Y. 10004 (212) 425-7200 (telephone) Michelle M. Carniaux, Reg. No. 36,098

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an early the addressed to: Assistant Commissioner for Patents, Washing Yai, D.C. 20231, on

Dated:

Signature \_

**CONNIE SILER** 



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# U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

SUPPLEMEN	TAL INFORMATION	Docket Number:	TECHNOLOGY CENTER R3700		
DISCLOSURE STATEMENT		11443/72			
Serial No. 10/099,634	Filing Date March 15, 2002	Examiner	Art Unit 3739		
Invention Title ELECTRO-MECH DEVICE	HANICAL SURGICAL	Inventors Michael Whitma	nn et al.		

Commissioner for Patents Washington D.C. 20231

- 1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 35 U.S.C. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicant hereby brings the following references to the attention of the Examiner. These references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.
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- 3. It is believed that no fees are due in connection with this Information Disclosure Statement. However, should any fees be due, the Commissioner is authorized to charge Deposit Account No. 11-0600 for such fees. A duplicate copy of this communication is enclosed for charging purposes.

Dated: 7 067 rw

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PATENT TRADEMARK OFFICE

KENYON & KENYON One Broadway New York, N.Y. 10004 (212) 425-7200 (telephone) dichelle M. Carniaux, Reg. No. 36,098

Respectfully submitted,

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Dated:

Signature \_\_\_\_\_\_

**CONNIE SILER** 

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ATTY. DOCKET NO. 1 11443/72

Michael Whitman et al.

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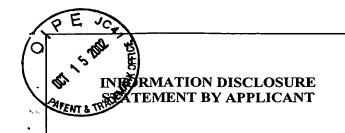
TECHNOLOGY CENTER R3700

**FILING DATE** March 15, 2002

**APPLICANT** 

**GROUP** 3739

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE
	1,831,250	October 4, 1932	Tomlinson			
	3,079,606	March 5, 1963	Bobrov et al.			
	3,193,165	July 6, 1965	Akhalaya et al.			
	3,256,875	June 21, 1966	Tsepelev et al.			
	3,388,847	June 18, 1968	Kasulin et al.			
	3,490,675	January 20,1970	Green et al.			
	3,494,533	February 10, 1970	D.T. Green et al.			
	3,552,626	January 5, 1971	Astafiev et al.			
	3,568,659	March 9, 1971	Karnegis			
	3,618,842	November 9, 1971	Bryan			
	3,662,939	May 16, 1972	Bryan			
	3,815,476	June 11, 1974	Green et al.			
	3,858,577	January 7, 1975	Bass et al.			
	3,859,986	January 14, 1975	Okada et al.			
	3,952,748	April 27, 1976	Kaliher et al.			
	4,071,029	January 31, 1978	Richmond et al.			
	4,085,756	April 25, 1978	Weaver			
	4,198,960	April 22, 1980	Utsugi			
	4,198,982	April 22, 1980	Fortner et al.		<u> </u>	
	4,202,479	May 13, 1980	Razgulov et al.			
	4,207,898	June 17, 1980	Becht			
	4,250,873	February 17, 1981	Bonnet			
	4,273,109	June 16, 1981	Enderby			
	4,273,111	June 16, 1981	Tsukaya			
	4,286,585	September 1, 1981	Ogawa			
	4,289,131	September 15, 1981	Mueller			
	4,289,133	September 15, 1981	Rothfuss		<u> </u>	
	4,304,236	December 8, 1981	Conta et al.		<del> </del>	
					<del>                                     </del>	<del>                                     </del>
	4,310,115	January 12, 1982	Inoue			-
	4,319,576	March 16, 1982	Rothfuss		<del>                                     </del>	-
	4,334,539	June 15, 1982	Childs et al.			:
	4,351,466	September 28, 1982	Noiles			



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EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE
	4,367,729	January 11, 1983	Ogiu			
	4,379,457	April 12, 1983	Gravener et al.			
	4,402,311	September 6, 1983	Hattori			
	4,429,695	February 7, 1984	Green			
	4,442,964	April 17, 1984	Becht			
	4,445,509	May 1, 1984	Auth			
	4,445,892	May 1, 1984	Hussein et al.			
	4,448,188	May 15, 1984	Loeb			
	4,473,077	September 25, 1984	Noiles et al.			
,	4,476,863	October 16, 1984	Kanshin et al.			
	4,485,817	December 4, 1984	Swiggett			
	4,487,270	December 11, 1984	Huber			
	4,488,523	December 18, 1984	Shichman			
	4,489,724	December 25, 1984	Amegger			
	4,494,057	January 15, 1985	Hotta			
	4,494,549	January 22, 1985	Namba et al.			
	4,499,895	February 19, 1985	Takayama			
	4,505,272	March 19, 1985	Utyamyshev et al.			
	4,505,414	March 19, 1985	Filipi			
	4,520,817	June 4, 1985	Green			
	4,534,420	August 13, 1985	Goldelius			
	4,535,773	August 20, 1985	Yoon			
	4,559,928	December 24, 1985	Takayama			
	4,573,468	March 4, 1986	Conta et al.			
	4,574,806	March 11, 1986	McCarthy			
	4,576,167	March 18, 1986	Noiles			
	4,589,412	May 20, 1986	Kensey			
	4,589,582	May 20, 1986	Bilotti			
	4,592,354	June 3, 1986	Rothfuss		·	,
	4,593,679	June 10, 1986	Collins			
	4,603,693	August 5, 1986	Conta et al.			
	4,605,001	August 12, 1986	Rothfuss et al.			



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**APPLICANT** Michael Whitman et al.

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**FILING DATE** March 15, 2002

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EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE
	4,606,343	August 19, 1986	Conta et al.			
	4,610,383	September 9, 1986	Rothfuss et al.		<u> </u>	
	4,631,052	December 23, 1986	Kensey			
	4,633,861	January 6, 1987	Chow et al.			
	4,633,874	January 6, 1987	Chow et al.			
	4,644,952	February 24, 1987	Patipa et al.			
	4,646,745	March 3, 1987	Noiles			
	4,655,673	April 7, 1987	Hawkes			
	4,667,673	May 26, 1987	Li			
	4,671,445	June 9, 1987	Barker et al.			
	4,672,961	June 16, 1987	Davies			
	4,674,515	June 23, 1987	Andou et al.			
·	4,696,667	September 29, 1987	Masch			
	4,700,703	October 20, 1987.	Resnick et al.			_
	4,703,887	November 3, 1987	Clanton et al.	•		· .
	4,705,038	November 10, 1987	Sjostrom et al.			
	4,708,141	November 24, 1987	Inoue et al.			
	4,732,156	March 22, 1988	Nakamura			
	4,733,118	March 22, 1988	Mihalko			٠
	4,742,815	May 10, 1988	Ninan et al.			
	4,752,024	June 21, 1988	Green et al.			
	4,754,909	July 5, 1988	Barker et al.	·		
	4,756,309	July 12, 1988	Sachse et al.			
	4,760,840	August 2, 1988	Fournier, Jr. et al.			
	4,771,774	September 20, 1988	Simpson et al.			
	4,776,506	October 11, 1988	Green			
	4,781,186	November 1, 1988	Simpson et al.			
	4,784,131	November 15, 1988	Kulik et al.			
	4,784,137	November 15, 1988	Kulik et al.			
	4,805,823	February 21, 1989	Rothfuss			
	4,813,928	March 21, 1988	Abe et al.			
	4,815,469	March 28, 1989	Cohen et al.			

INFORMATION DISCLOSURE

ATTY. DOCKET NO. 11443/72	SERIAL NO. 10/099034 CFIVED
APPLICANT Michael Whitman et al.	OCT 1 6 2002
	TECHNOLOGY CENTER R370
FILING DATE	GROUP
March 15, 2002	3739

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE
	4,817,847	April 4, 1989	Redtenbacher et al.			
	4,819,632	April 11, 1989	Davies			
	4,867,158	September 19, 1989	Sugg			
	4,869,415	September 26, 1989	Fox			
	4,873,977	October 17, 1989	Avant et al.			
	4,890,602	January 2, 1990	Hake			
	4,892,244	January 9, 1990	Fox et al.			
***	4,893,613	January 16, 1990	Hake			
	4,893,622	January 16, 1990	Green et al.			
	4,903,697	February 27, 1990	Resnick et al.			
	4,907,591	March 13, 1990	Vasconcellos et al.			
	4,907,973	March 13, 1990	Hon			
	4,917,114	April 17, 1990	Green et al.			·
	4,928,699	May 29, 1990	Sasai		,	
	4,930,494	June 5, 1990	Takehana et al.			
	4,936,845	June 26, 1990	Stevens			
	4,941,454	July 17, 1990	Wood et al.	···		
	4,955,882	September 11, 1990	Hakky			
	4,957,499	September 18, 1990	Lipatov et al.			
	4,962,877	October 16, 1990	Hervas			
	4,976,688	December 11, 1990	Rosenblum			
	4,976,710	December 11, 1990	Mackin			
	4,978,049	December 18,1990	Green			
	4,982,726	January 8, 1991	Taira			
	4,994,060	February 19, 1991	Rink et al.			
	4,995,877	February 26, 1991	Ams et al.			
	5,005,749	April 9, 1991	Aranyi			
	5,040,715	August 20, 1991	Green et al.			-
	5,059,203	October 22, 1991	Husted			
	5,065,929	November 19, 1991	Schulze et al.			
		December 10, 1991	de Salis et al.			
	5,071,430 5,077,506	December 10, 1991  December 31, 1991	de Sans et al.  Krause			

FORMATION DISCLOSURE STATEMENT BY APPLICANT

ATTY. DOCKET NO. 11443/72

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APPLICANT Michael Whitman et al.

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FILING DATE March 15, 2002 GROUECHNOLOGY CENTER R3700 3739

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,104,025	April 14, 1992	Main et al.			
	5,129,570	July 14, 1992	Schulze et al.			
	5,133,359	Jul <u>y</u> 28, 1992	Kedem			
	5,133,713	July 28, 1992	Huang et al.			
	5,133,729	July 28, 1992	Sjostrom			
	5,139,513	August 18, 1992	Segato			
	5,170,925	December 15, 1992	Madden et al.			
	5,171,247	December 15, 1992	Hughett et al.			
	5,171,251	December 15, 1992	Bregen et al.			
	5,173,133	December 22, 1992	Morin et al.			
	5,192,292	March 9, 1993	Cezana et al.			
	5,197,649	March 30, 1993	Bessler et al.			
	5,201,325	April 13, 1993	McEwen et al.			
	5,201,750	April 13, 1993	Höcherl et al.			
	5,205,459	April 27, 1993	Brinkerhoff et al.			
	5,207,691	May 4, 1993	Nardella			
	5,207,697	May 4, 1993	Carusillo et al.			
	5,217,003	June 8, 1993	Wilk			
	5,221,279	June 22, 1993	Cook et al.			
	5,224,951	July 6, 1993	Freitas			
	5,226,426	July 13, 1993	Yoon			
	5,237,884	August 24, 1993	Seto			
	5,249,583	October 5, 1993	Mallaby			
	5,258,007	November 2, 1993	Spetzler et al			
	5,258,008	November 2, 1993	Wilk			
	5,261,877	November 16, 1993	Fine et al.			
	5,267,997	December 7, 1993	Farin et al.			
	5,268,622	December 7, 1993	Philipp			
	5,271,543	December 21, 1993	Grant et al.			
	5,271,544	December 21, 1993	Fox et al.			
	5,275,322	January 4, 1994	Brinkerhoff et al.			
	5,275,323	January 4, 1994	Schulze et al.			

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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FILING DATE March 15, 2002 TECHNOLOGY CENTER R3700 GROUP 3739

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,279,565	January 18, 1994	Klein et al.			
	5,285,945	February 15, 1994	Brinkerhoff et al.			**
	5,289,963	March 1, 1994	McGarry et al.			
	5,290,299	March 1, 1994	Fain et al.			
	5,292,053	March 8, 1994	Bilotti et al.			
	5,307,976	May 3, 1994	Olson et al.			
	5,312,023	May 17, 1994	Green et al.			
	5,318,221	June 7, 1994	Green et al.			
	5,326,013	July 5, 1994	Green et al.			
	5,330,486	July 19, 1994	Wilk			
	5,333,773	August 2, 1994	Main et al.			
	5,341,645	July 11, 1995	Smith et al.			
	5,342,299	August 30, 1994	Snoke et al.			
	5,342,382	August 30, 1994	Brinkerhoff et al.			
	5,344,420	September 6, 1994	Hilal et al.			
	5,350,104	September 27, 1994	Main et al.			-
	5,354,266	October 11, 1994	Snoke			
	5,358,506	October 24, 1994	Green et al.			
	5,364,001	November 15, 1994	Bryan			
	5,368,015	November 29, 1994	Wilk			
	5,368,607	November 29, 1994	Freitas			
	5,380,321	January 10, 1995	Yoon			
	5,383,880	January 24, 1995	Hooven			
	5,395,030	March 7, 1995	Kuramoto et al.			
	5,395,033	March 7, 1995	Byrne et al.			
	5,397,046	March 14, 1995	Savage et al.	_		
	5,400,267	March 21, 1995	Denen et al.			
	5,403,312	April 4, 1995	Yates et al.			
	5,403,326	April 4, 1995	Harrison et al.			
	5,403,327	August 4, 1995	Thornton et al.			
	5,411,508	May 2, 1995	Bessler et al.			
	5,413,267	May 9, 1995	Solynties			

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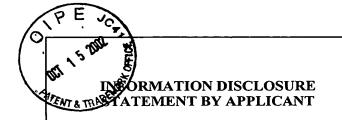
APPLICANT Michael Whitman et al.

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TECHNOLOGY CENTER R3700

FILING DATE March 15, 2002 GROUP 3739

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,413,268	May 9, 1995	Green et al.			
	5,415,334	May 16, 1995	Williamson et al.			
	5,425,738	June 20, 1995	Gustafson et al.			·
	5,425,745	June 26, 1995	Green et al.	<u>-</u>		
	5,431,322	July 11, 1995	Green et al.			
	5,431,645	July 11, 1995	Smith et al.			
	5,433,721	July 18, 1995	Hooven et al.			
	5,437,636	August 1, 1995	Snoke et al.			
	5,437,684	August 1, 1995	Calabrese et al.			
	5,441,507	August 15, 1995	Wilk			
	5,443,198	August 22, 1995	Viola et al.			
	5,454,825	October 3, 1995	Van Leeuwen et al.			
	5,460,182	October 24, 1995	Goodman et al.			
	5,467,911	November 21, 1995	Tsuruta et al.			
	5,472,132	December 5, 1995	Savage et al.			
	5,474,223	December 12, 1995	Viola et al.			8
	5,476,206	December 19, 1995	Green et al.			
	5,482,197	January 9, 1996	Green et al.			_
	5,487,499	January 30, 1996	Sorrentino et al.			
	5,487,500	January 30, 1996	Knodel et al.			,
	5,485,947	January 23, 1996	Olson et al.			
	5,496,269	March 5, 1996	Snoke			
	5,518,163	May 21, 1996	Hooven			
	5,518,164	May 21, 1996	Hooven			
	5,524,180	June 4, 1996	Wang et al.			
	5,529,235	June 25, 1996	Boiarski et al.			
	5,531,687	July 2, 1996	Snoke et al.			
	5,533,661	July 9, 1996	Main et al.			
	5,549,565	August 27, 1996	Ryan et al.			
	5,553,765	September 10, 1996	Knodel et al.			
	5,554,169	September 10, 1996	Green et al.			
	5,562,702	October 8, 1996	Huitema et al.			



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EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,571,116	November 5, 1996	Bolanos et al.			
	5,582,611	December 10, 1996	Tsuruta et al.			
	5,584,425	December 17, 1996	Savage et al.			
	5,588,579	December 31, 1996	Schnut et al.			
	5.591,186	January 7, 1997	Wurster et al.			
	5,597,107	January 28, 1997	Knodel et al.			
***	5,599,347	February 4, 1997	Hart et al.			
	5,609,285	March 11, 1997	Grant et al.	-		
	5,639,008	June 17, 1997	Gallagher et al.			
	5,653,374	August 5, 1997	Young et al.			
	5,662,673	September 2, 1997	Kieturakis			
	5,667,517	September 16, 1997	Hooven			
	5,676,674	October 14, 1997	Bolanos et al.			
	5,693,031	December 2, 1997	Ryan et al.			
"	5,709,335	January 20, 1998	Heck			
	5,732,872	March 31, 1998	Bolduc et al.			
	5,735,861	April 7, 1998	Peifer et al.			_
	5,749,893	May 12, 1998	Vidal et al.			
	5,758,814	June 2, 1998	Gallagher et al.			
	5,762,458	June 9, 1998	Wang et al.			
	5,779,130	July 14, 1998	Alesi et al.			
	5,782,396	July 21, 1998	Mastri et al.			
	5,782,397	July 21, 1998	Koukline			
	5,792,135	August 11, 1998	Madhani et al.			
	5,797,835	August 25, 1998	Green			
	5,797,900	August 25, 1998	Madhani et al.			
	5,797,944	August 25, 1998	Nobles et al.			
	5,807,377	September 15, 1998	Madhani et al.			
	5,814,044	September 29, 1998	Hooven			
	5,815,640	September 29, 1998	Wang et al.			
	5,817,113	October 6, 1998	Gifford, III et al.			
	5,836,503	November 17, 1998	Ehrenfels et al.			

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APPLICANT Michael Whitman et al.

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FILING DATE **GROUP** 3739 March 15, 2002

TECHNOLOGY CENTER R3700

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,846,221	December 8, 1998	Snoke et al.			
	5,855,583	January 5, 1999	Wang et al.			
	5,857,996	January 12, 1999	Snoke			
	5,860,953	January 19, 1999	Snoke et al.			
	5,868,760	February 9, 1999	McGuckin, Jr.			
	5,871,471	February 16, 1999	Ryan et al.			
	5,878,193	March 2, 1999	Wang et al.			
	5,881,943	March 16, 1999	Heck et al.			
	5,897,562	April 27, 1999	Bolanos et al.			
	5,907,664	May 25, 1999	Wang et al.			
	5,915,616	June 29, 1999	Viola et al.			
	5,925,055	July 20, 1999	Adrian et al.			
	5,931,848	August 3, 1999	Saadat			
	5,947,363	September 7, 1999	Bolduc et al.			
	5,954,259	September 21, 1999	Viola et al.			
	5,951,549	September 14, 1999	Richardson et al.			
	5,957,363	September 28, 1999	Heck			
	5,957,882	September 28, 1999	Nita et al.			
	5,957,884	September 28, 1999	Hooven			
	5,976,159	November 2, 1999	Bolduc et al.			
	5,984,919	November 16, 1999	Hilal et al.			
	5,989,274	November 23, 1999	Davison et al.			
	- 5,993,378	November 30, 1999	Lemelson			
	5,997,510	December 7, 1999	Schwemberger			
	6,001,108	December 14, 1999	Wang et al.			
	6,004,335	December 21, 1999	Vaitekunas et al.			
	6,007,512	December 28, 1999	Hooven	· · · · · · · · · · · · · · · · · · ·		
	6,007,531	December 28, 1999	Snoke et al.			
	6,010,493	January 4, 2000	Snoke	-		
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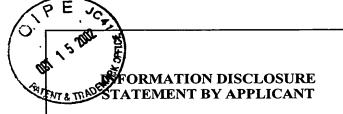
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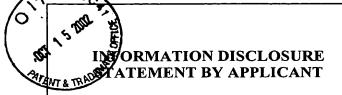
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INITIAL	NUMBER					YES	N
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.				